



## UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/889,975	07/10/97	JANAY	G 30/01

EXAMINER

TM12/1026

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ART UNIT PAPER NUMBER

2152

DATE MAILED: 10/26/00

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

## OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 4/15/1999

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1835 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s) or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

- ☒ Claim(s) 1-10 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
☐ Claim(s) \_\_\_\_\_ is/are allowed.  
☒ Claim(s) 1-10 is/are rejected.  
☐ Claim(s) \_\_\_\_\_ is/are objected to.  
☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.  
☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.  
☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.  
☐ The specification is objected to by the Examiner.  
☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  
☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.  
☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_  
☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of Reference Cited, PTO-892  
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_  
☐ Interview Summary, PTO-413  
☐ Notice of Draftsperson's Patent Drawing Review, PTO-948  
☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

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1. Claims 1-10 are presented for examination.
2. The following is a quotation of 35 U.S.C. § 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-10 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Butts et al (Butts)** patent no. **5,754,830**, in view of **Bonnaure et al (Bonnaure)** patent no. **5,862,339**.

4. As to claims 1 and 7, Butts teaches the invention substantially as claimed, including a method of communicating between a host computer and a remote terminal over a data network (figure 1) comprising the steps of:

establishing a first communication session between said terminal and a communication server via a first communication channel (col. 3 lines 53-65);

downloading, from said server to said terminal, communications software for communicating between said terminal and said host (col. 3 lines 53-65); and

utilizing said communications software to implement a second communications session between said terminal and said host (col. 3 line 66 - col. 4 line 14).

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However, Butts does not explicitly teach said terminal and said host communicates using a second communication channel.

Bonnaure teaches a central access server downloads algorithms to a user via modem line 1726, and user can access to variety of Internet access providers via modem line 1718 (Abstract, figure 17, col. 17 line 21-col. 18 line 12).

It would have been obvious to one of ordinary skill in the Data Processing Art at the time of the invention to combine the teachings of Butts and Bonnaure to use a second communication channel for the session between said terminal and said host because it would increase service availability for user.

5. As to claim 2, Butts teaches specifying, during said first communications session, which communication software is desired to be downloaded (col. 4 lines 15-31).

6. As to claim 3, Butts and Bonnaure teaches the invention substantially as discussed above; In addition, Butts teaches receiving, during said second communications session, information from said host at said terminal; decoding the information at said terminal; sending the decoded information to said server over said network; in response to said step of sending, transmitting from said server to said terminal, presentation information specifying how information received from said host at said terminal should be presented to a user of said terminal (col. 3 line 66 - col. 4 line 31, col. 5 line 65 - col. 6 line 10).

However, Butts does not explicitly teach screen identification information.

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Official Notice is taken that screen ID information is well-known in Data Processing Art.

It would have been obvious to include screen ID information from said host at said terminal in Butts and Bonnaure's teachings because it would allow screen information to be processed in a manner easily definable by a user.

7. As to claims 4 and 6, Butts teaches identifying, at said terminal, cursor position and screen information, said information being based upon which screen is being displayed and a position on that screen of a cursor; assembling, at said terminal, a data structure indicative of said cursor position and screen information; transmitting said data structure to said server; and conveying, in response to said step of transmitting, context sensitive display information from said server to said terminal wherein said context sensitive display information is a list of available choices for a field (col. 5 line 65 - col. 6 line 10).

8. As to claim 5, Butts teaches the invention substantially as claimed as discussed above. In addition, Butts teaches said terminal comprises personal computer or computer workstation (col. 3 lines 53-65), but Butts does not explicitly teach said terminal is network computer (NC) terminal. Official Notice is taken that NC terminal is well known.

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to use Butts's invention in NC terminal because it would allow many

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different types of computers including the NC terminal to connect to host systems using applet software downloads from said server.

9. As to claim 7-10, they have similar limitations as claims 1-6; therefore, they are rejected under the same rationale.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank J. Asta, can be reached at (703) 305-3817.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

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(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).



**LE HIEN LUU**  
**PRIMARY EXAMINER**

November 24, 2000